



120th MAINE LEGISLATURE

FIRST REGULAR SESSION-2001

Legislative Document

No. 549

H.P. 428

House of Representatives, February 6, 2001

Resolve, to Improve the Accessibility of Nursing Facility Services for Consumers with Chronic Conditions.

Reference to the Committee on Health and Human Services suggested and ordered printed.

Millicent M. Mac Jailand

MILLICENT M. MacFARLAND, Clerk

Presented by Representative FULLER of Manchester. Cosponsored by Representative LOVETT of Scarborough and Representatives: DUGAY of Cherryfield, KANE of Saco, MAYO of Bath, O'BRIEN of Augusta, Senators: LONGLEY of Waldo, TURNER of Cumberland.

Sec. 1. Rule amendment regarding consumers with chronic 2 conditions that change. Resolved: That the Department of Human Services shall review and amend its rules regarding eligibility for nursing facility services to allow for increased eligibility 4 for consumers of long-term care services who have chronic conditions that change enough to qualify and disqualify them for 6 services on a cyclical basis. These rules must provide that a consumer who has lost medical eligibility for long-term care 8 services at least once while receiving covered services in the facility during the past 9 months and who moves 3 times within 10 the same 9-month period is eligible for continued nursing facility services. Rules adopted pursuant to this section must 12 take effect December 1, 2001. Rules adopted pursuant to this section are major substantive rules as defined in the Maine 14 Revised Statutes, Title 5, chapter 375, subchapter II-A. 16

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SUMMARY

20 The purpose of this resolve is to protect consumers whose chronic medical conditions temporarily improve, thereby causing 22 them to lose eligibility for nursing facility level care. This resolve directs the Department of Human Services to amend its 24 rules to ensure that consumers may retain eligibility for nursing facility level care if they have moved 3 times in a 9-month 26 period and have also lost such eligibility at least once within that same time period.